

REMARKS

This is in response to the Office Action mailed on January 11, 2005. Claims 39, 41-43, 45 and 47 are amended, claim 40 is canceled, and no claims are added. Thus, claims 1-39 and 41-47 are now pending in this application. Of these pending claims, claims 39 and 41-47 currently stand withdrawn.

Telephone Interview

Applicant thanks the Examiner for the courtesy extended in conducting the telephone interview on January 4, 2005 to discuss the status of the non-elected species.

Applicant thanks the Examiner for agreeing to consider and for allowing claims 18-33 along with the claims of elected Species I (claims 1-17 and 34-38).

Applicant also thanks the Examiner for providing a time period to conform the currently-withdrawn claims into conformance with the allowed generic claim 1.

Allowable Subject Matter

Claims 1-38 were allowed.

Withdrawn Claims 39 and 41-47

Currently-withdrawn, independent claims 39 and 45 have been amended to conform to language recited in generic claim 1. Claim 40 is canceled in view of the amendment to claim 39, claims 41-43 are amended in view of the amendment to claim 39, and claim 47 is amended in view of the amendment to claim 45. Applicant respectfully requests consideration and allowance of claims 39 and 41-47 in view of these amendments.

AMENDMENT AND RESPONSE UNDER EX PARTE QUAYLE .

Serial Number: 10/623,794

Filing Date: July 21, 2003

Title: GETTERING USING VOIDS FORMED BY SURFACE TRANSFORMATION

Page 12

Dkt: 1303.108US1

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6960 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6960

Date 1-28-05

By M. L. R.
Marvin L. Beekman
Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28 day of January, 2005.

Name

Kacia Lee

Signature

Kacia Lee